



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

██████████
Docket No. 9079-23
Ref: Signature Date

████████████████████
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Dear ██████████,

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 6 June 2024. The names and votes of the members of the panel will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, relevant portions of your naval record and applicable statutes, regulations, and policies. In addition, the Board considered the advisory opinion contained in Commanding Officer, ██████████ memorandum 7220 N1 of 27 February 2024, which was previously provided to you for comment.

You were discharged with an honorable character of service and were issued a Certificate of Release or Discharge from Active Duty (DD Form 214) for the period of 14 August 2001 to 25 June 2004 due to parenthood or custody of minor children.

On 1 February 2016, you reenlisted for 4 years with a contract expiration date of 31 January 2020.

On 5 June 2019, ██████████ notified ██████████ that you were issued demobilization order 1569.

On 18 June 2019, ██████████ notified ██████████ that "SNM is placed on orders under the authority of 10 USC 12301(h) to facilitate a medical evaluation period of up to 90 days as determined by competent medical authority. GTR is directed for this travel. Upon completion of medical evaluation SNM will either be placed in medical hold status or, if found fit for duty, demobilized immediately."

On 24 January 2020, you signed an agreement to extend enlistment for 3 months with a contract expiration date of 30 April 2020 in order to extend obligated service to receive medical care for a disease or injury as a result of service not due to personal misconduct. Pay Entry Base Date (PEBD): 20 March 2013.

On 25 February 2020, ██████████ notified ██████████ that, “[p]er Under SECDEF, Memorandum and Guidance For Mobilization Beyond 24 Months, and Chief of Naval Personnel Memorandum on Transition of Reserve Orders From Mobilization To Voluntary Status 12301(h), this serves as authority to modify mobilization order ICO SNM for medical holds, mob event 1779 to reflect continued mobilization under authority of 10 USC 12301(h). SNM remains on voluntary orders to facilitate an extension of the medical hold period as determined by competent medical authority. When found fit for duty or adjudicated by the disability evaluation system, member will be demobilized immediately with follow on instructions.”

On 5 March 2020, you signed an agreement to extend enlistment for 5 months with a contract expiration date of 30 September 2020 in order to extend obligated service to receive medical care for a disease or injury as a result of service not due to personal misconduct. PEBD: 20 March 2013.

You were issued a DD Form 214 for the period of 19 October 2018 to 27 August 2020. Signed by authorized Official on 21 July 2020.

On 20 November 2020, ██████████ notified you via Inactive Training Orders Termination/Cancellation/Modification that you were assigned to ██████████ for inactive duty in a pay status (RBSC 7402 / AUIC 55617 / BIN 3366732). Furthermore, that your tenure in this billet would expire 31 December 2023 unless terminated sooner by proper authority or otherwise modified.

On 30 April 2021, you reenlisted for 6 years in the active U.S. Naval Reserve (Full Time Support (FTS) program) with a contract expiration date of 29 April 2027.

On 28 September 2021, you were issued official change duty orders (BUPERS order: 2711) while stationed in ██████████ with an effective date of departure of January 2022. Your intermediate (01) activity was ██████████ A for temporary duty under instruction with an effective date of arrival of 22 January 2022. Your intermediate (02) activity was ██████████ for temporary duty with an effective date of arrival of 29 January 2022. Your intermediate (03) activity was ██████████ for temporary duty under instruction with an effective date of arrival of 7 February 2022. Your ultimate activity was ██████████ for duty with an effective date of arrival of 30 March 2022 with a Projected Rotation Date of March 2025.

You provided an Electronic Training Jacket (Administrative Data) listing a PEBD of 20 March 2020 and Active-Duty Service Date (ADSD) of 21 June 2018.

On 12 January 2024, you were issued a Statement of Service (SOS) for Navy Reserve Retirement listing from 26 September 2000 to 29 April 2021, 8 years, 11 months, and 29 days of qualifying years of service. Total retirement points creditable for pay: 2,163. Furthermore, you have a AT/ADT total of 158 days.

On 23 April 2024, your Member Data Summary Navy Standard Integrated Personnel System /Electronic Service Record shows a PEBD of 19 March 2013 and ADSD of 21 February 2016.

You requested that your ADSD should reflect 10 September 2015, the Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. However, the Board concluded that a review of your record was conducted, and a new SOS was issued that included all periods of active-duty time already completed. In accordance with the SOS, you had completed 1886 days of active-duty service. As a result, your ADSD was changed from 21 June 2018 to 21 February 2016. The Board determined that there is no evidence in your record showing additional active-duty service to adjust your ADSD to 10 September 2015, therefore no further change to your record is warranted. In this connection, the Board substantially concurred with the comments contained in the advisory opinion.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

6/10/2024

